

REMARKS

Reconsideration and allowance of the present application are respectfully requested. Claims 1-3, 9-17, 23-31 and 33-49 will be pending in this application upon entry of this Response.

Request to Enter this After-Final Response

37 CFR § 1.116 states that an amendment may be entered after final rejection if: (1) the amendment cancels claims or complies with any requirement of form expressly set forth in a previous Office action; or (2) the amendment presents rejected claims in better form for consideration on appeal. In the present Response, the claims that have been rejected under 35 U.S.C. § 102 have been canceled, while the claims that have been rejected under 35 U.S.C. § 101 have been amended to adopt terminology already present in claim 1 (which was not rejected under 35 U.S.C. § 101). It is believed that this Response places the application in condition for allowance. In the very least, this Response clearly places the application in better form for appeal. Accordingly, entry of this Response is appropriate under 37 CFR § 1.116 and is respectfully requested.

Indication of Allowable Subject Matter

Applicant notes with appreciation the indication in the Office Action that claims 1-3, 9-17, 23-31 are allowed. The Applicant notes with equal appreciation the indication that claims 33, 34, 36, 47, and 49 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 33 and 34 have been redrafted into independent form. Claims 36, 47, and 49 have been amended, or depend on a claim that has been amended, to overcome the 35 U.S.C. § 101

1 rejection. Accordingly, the Applicant submits that claims 33, 34, 36, 47, and 49 are
2 likewise allowable, and notice of same is respectfully requested.

3
4 **Examiner Interview**

5 The undersigned contacted the Examiner by telephone on August 29, 2007. The
6 undersigned thanks the Examiner for the courtesies extended in that interview. In the
7 interview, the undersigned proposed amendments to claims 35 and 49 to overcome the
8 rejection under 35 U.S.C. § 101. Those amendments are reflected in the amendments to
9 claims 35 and 49 in the present Response. The Examiner indicated that these
10 amendments appeared to be a constructive step in overcoming the 35 U.S.C. § 101
11 rejection. The Examiner indicated that further consideration would be required before
12 making a final determination on this matter.

13
14 **35 U.S.C. 101 § Rejection**

15 Claims 35-46 and 49 were rejected under 35 U.S.C. § 101 because the claimed
16 invention is allegedly directed to non-statutory subject matter. The essence of the
17 rejection is that the claims are directed to abstract ideas (note paragraph No. 3 of the
18 Office Action). The Applicant respectfully traverses this rejection. Consider claim 35 as
19 currently amended, reproduced below in full below:

20
21 35. A method implemented by a computer system comprising:
22 receiving data through a data entry display screen mechanism;
23 receiving configuration input through a configuration and control display screen
24 mechanism, wherein the configuration input indicates:
25 a type of statistical analysis to be performed; and

1 an indication of factor-type X elements and at least one response-type Y element
2 associated with the received data;
3 performing the indicated statistical analysis for all indicated elements, wherein the
4 statistical analysis identifies a significant factor among the indicated factor-type X elements with
5 respect to said at least one identified response-type Y element; and
6 generating results of the statistical analysis, wherein the results identify the significant
7 factor.

8
9 This claim calls for a “method *implemented by a computer system*” including, in part, the
10 operations of “receiving data through a data entry *display screen mechanism*,” and
11 “receiving configuration input through a configuration and control *display screen*
12 *mechanism*.” This claim is not directed to an abstraction *per se* because it is performed
13 using concrete functionality (e.g., a data entry display screen mechanism and a
14 configuration and control display screen mechanism), which is different from other
15 conceivable ways of implementing the operations recited therein. Further, it is pointed
16 out that the claim has been amended to adopt certain terms (“computer system” and
17 “screen”) which were recited, for instance, in claim 1 (which was not rejected under 35
18 U.S.C. § 101). For these reasons, the Applicant submits that claim 35 complies with 35
19 U.S.C. § 101 and respectfully requests that the rejection be withdrawn. Independent
20 claim 49 has been amended in a similar manner to claim 35 and is therefore allowable for
21 reasons similar to those presented above. Claims 36-46 depend on claim 35, and are
22 therefore allowable for at least this reason.

1 **35 U.S.C. § 102(b) Rejection**

2 Claims 4-8 and 18-22 were rejected under 35 U.S.C. § 102(b) as being anticipated
3 by U.S. Patent No. 5,852,819 to Beller. These claims have been canceled in this
4 Response without prejudice or disclaimer, thereby rendering the 35 U.S.C. § 102(b)
5 rejection moot. Applicant thereby respectfully requests that this rejection be withdraw.

6
7 **Conclusion**

8 All objections and rejections raised in the Office Action having been addressed, it
9 is respectfully submitted that the present application is in condition for allowance and
10 such allowance is respectfully solicited.

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12
13 Respectfully Submitted,

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